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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

46 + 241
REFS

Application Number

10/033,243

Filing Date

December 27, 2001

First Named Inventor

Karen L. FEARON and Dino DINA

Group Art Unit

1653

Examiner Name

To Be Assigned

Attorney Docket No.

377882001800

ENCLOSURES (check all that apply)

- | | | |
|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers
(for an Application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
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| <input type="checkbox"/> Affidavits/declarations | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
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Incomplete Application | Remarks | |
| <input type="checkbox"/> Response to Missing Parts
under 37 CFR 1.52 or 1.53 (2 pgs) | | |

1. Form PTO-1449 plus 1 copy (32 pages)
2. Two hundred forty-one (241) References
3. 10 cover sheets for references

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Morrison & Foerster LLP, 755 Page Mill Rd, Palo Alto, CA 94304-1018
Signature	<i>Karen R. Zachow</i>
Date	March 25, 2002

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Hazel M. Raskowitz

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PATENT
Docket No. 377882001800

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Hazel M. Raskowitz
Hazel M. Raskowitz

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Karen L. FEARON and Dino DINA

Serial No.: 10/033,243

Filing Date: December 27, 2001

For: IMMUNOMODULATORY
POLYNUCLEOTIDES AND METHODS
OF USING THE SAME

Examiner: To Be Assigned

Group Art Unit: 1653

INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of * is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of * is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Assistant Commissioner to

charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 377882001800. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: March 25, 2002

Respectfully submitted,

By: Karen R. Zachow
Karen R. Zachow
Registration No. 46,332

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Form PTO-1449

Docket Number 377882001800

Application Number 10/033,243

Applicant

Karen L. FEARON and Dino DINA

Filing Date December 27, 2001

Group Art Unit 1653

Mailing Date March 25, 2002

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

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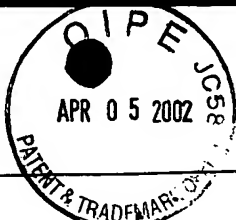
U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	07/03/1984	4,458,066	Caruthers et al.			
	2.	03/17/1987	4,650,675	Borel et al.			
	3.	07/18/1989	4,849,513	Smith et al.			
	4.	03/20/1990	4,910,300	Urdea et al.			
	5.	08/14/1990	4,948,882	Ruth			
	6.	05/14/1991	5,015,733	Smith et al.			
	7.	03/03/1992	5,093,232	Urdea et al.			
	8.	06/02/1992	5,118,800	Smith et al.			
	9.	06/02/1992	5,118,802	Smith et al.			
	10.	06/23/1992	5,124,246	Urdea et al.			
	11.	02/21/1995	5,391,723	Priest			
	12.	09/26/1995	5,453,496	Caruthers et al.			
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	15.	09/03/1996	5,552,391	Coutts et al.			
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	22.	03/27/2001	6,207,646 B1	Krieg et al.			
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	24.	04/17/2001	6,218,371 B1	Krieg et al.			
	25.	05/29/2001	6,239,116 B1	Krieg et al.			

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Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>	Docket Number 377882001800	Application Number 10/033,243
	Applicant Karen L. FEARON and Dino DINA	
	Filing Date December 27, 2001	Group Art Unit 1653
	Mailing Date March 25, 2002	

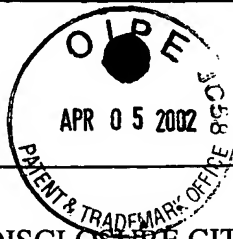
FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation	
							YES	NO
	26.	01/29/1992	EP 468,520 A2, A3	EPO				
	27.	02/01/1996	WO 96/02555 A1	WIPO				
	28.	08/07/1997	WO 97/28259 A1	WIPO				
	29.	04/23/1998	WO 98/16247 A1	WIPO				
	30.	05/07/1998	WO 98/18810 A1	WIPO				
	31.	09/03/1998	WO 98/37919 A1	WIPO				
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	36.	12/10/1998	WO 98/55609 A1	WIPO				
	37.	03/11/1999	WO 99/11275 A2,A3	WIPO				
	38.	07/08/1999	WO 99/33488 A2,A3	WIPO				
	39.	07/08/1999	WO 99/33868 A2,A3	WIPO				
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	41.	11/11/1999	WO 99/56755 A1	WIPO				
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	43.	12/09/1999	WO 99/62923 A2,A3	WIPO				
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	48.	10/19/2000	WO 00/61151 A2,A3	WIPO				
	49.	11/09/2000	WO 00/67023 A1	WIPO				
	50.	11/16/2000	WO 00/67787 A2,A3	WIPO				
	51.	02/22/2001	WO 01/12223 A2	WIPO				
	52.	03/08/2001	WO 01/15726 A2,A3	WIPO				

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Form PTO-1449

INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Docket Number 377882001800

Application Number 10/033,243

Applicant

Karen L. FEARON and Dino DINA

Filing Date December 27, 2001

Group Art Unit 1653

Mailing Date March 25, 2002

53.	04/05/2001	WO 01/22972 A2,A3	WIPO				
54.	04/05/2001	WO 01/22990 A2,A3	WIPO				
55.	05/25/2001	WO 01/35991 A2,A3	WIPO				
56.	07/19/2001	WO 01/51500 A1	WIPO				
57.	08/02/2001	WO 01/54720 A1	WIPO				

OTHER DOCUMENTS

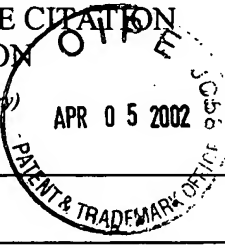
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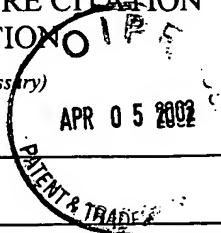
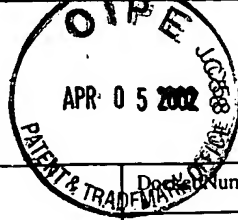
Examiner Initials	Ref. No.	Title
	58.	Agrawal, Sudhir et al. (1986). "Efficient Methods for Attaching Non-Radioactive Labels to the 5' ends of Synthetic Oligodeoxyribonucleotides," <i>Nucleic Acids Res.</i> 14(15):6227-6245.
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	63.	Ausubel, Frederick M. et al., eds. (1995). <u>Current Protocols in Molecular Biology</u> , Volume 1, John Wiley & Sons, Inc.: pp. iii-xii (Table of Contents).
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Form PTO-1449		Docket Number 377882001800	Application Number 10/033,243		
INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)		Applicant Karen L. FEARON and Dino DINA			
		Filing Date December 27, 2001	Group Art Unit 1653		
		Mailing Date March 25, 2002			
					
69.	Bohle, Barbara et al. (1999). "Oligodeoxynucleotides Containing CpG Motifs Induce IL-12, IL-18, and IFN- γ Production in Cells from Allergic Individuals and Inhibit IgE Synthesis <i>in vitro</i> ," <i>Eur. J. Immunol.</i> 29:2344-2353.				
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80.	Broide, David et al. (1998). "Immunostimulatory DNA Sequences Inhibit IL-5, Eosinophilic Inflammation, and Airway Hyperresponsiveness in Mice," <i>J. Immunol.</i> 161:7054-7062.				
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<table border="1"> <tr> <td>EXAMINER:</td> <td>DATE CONSIDERED:</td> </tr> </table>				EXAMINER:	DATE CONSIDERED:
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| 83. | Chace, Jacqueline H. et al. (1997). "Bacterial DNA-Induced NK Cell IFN-Gamma Production is Dependent on Macrophage Secretion of IL-12," <i>Clin. Immunol. and Immunopathol.</i> 84(2):185-193. |
| 84. | Chaturvedi, Surendra et al. (1996). "Stabilization of Triple-Stranded Oligonucleotide Complexes: Use of Probes Containing Alternating Phosphodiester and Stereo-Uniform Cationic Phosphoramidate Linkages," <i>Nucleic Acids Res.</i> 24(12):2318-2323. |
| 85. | Chavany, Christine et al. (1992). "Polyalkylcyanoacrylate Nanoparticles as Polymeric Carriers for Antisense Oligonucleotides," <i>Pharm. Res.</i> 9(4):441-449. |
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| 92. | Coligan, John E. et al., eds. (1998). <u>Current Protocols in Immunology</u> , Volume 1, John Wiley & Sons, Inc: pp. 1-9 (Table of Contents). |
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| 95. | Cooke, Sara K. and Sampson, Hugh A. (1997). "Allergenic Properties of Ovomuroid in Man," <i>J. Immunol.</i> 159:2026-2032. |
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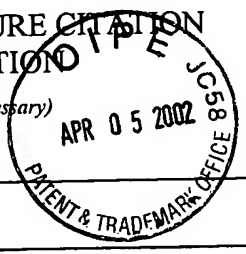
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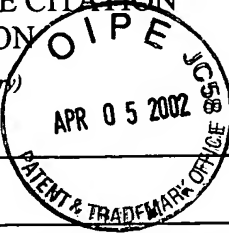
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97.	Cowdery, John S. et al. (1996). "Bacterial DNA Induces NK Cells to Produce IFN- γ in Vivo and Increases the Toxicity of Lipopolysaccharides," <i>J. Immunol.</i> 156:4570-4575.		
98.	de Martino, Maurizio et al. (1999). "Low IgG3 and High IgG4 Subclass Levels in Children with Advanced Human Immunodeficiency Virus-Type 1 Infection and Elevated IgE Levels," <i>Annals of Allergy, Asthma & Immunol.</i> 83:160-164.		
99.	Douglas, S.J. et al. (1987). "Nanoparticles in Drug Delivery," <i>Crit. Rev. Ther. Drug. Carrier Syst.</i> 3(3):233-261.		
100.	Dumas, V. et al. (1995). "Induction of Tolerance by Administration of Hapten-Immunoglobulin Conjugates is Associated with Decreased IL-2 and IL-4 Production," <i>Arch. Dermatol. Res.</i> 287:123-128.		
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